

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket Nos. 7359–7370, 7372

Investigations into the 2007 Integrated Resource)
Plan filings by 13 Municipal Electric)
Departments)

Order entered: 2/18/2011

ORDER RE: WITHDRAWAL OF APPROVED IRPs

These Dockets involve investigations into Integrated Resource Plans ("IRPs") filed by thirteen municipal electric departments (collectively, the "Municipal Utilities").¹ On January 27, 2011, the Municipal Utilities filed a letter requesting confirmation that their previously approved IRPs have been withdrawn and are no longer in effect.

The Municipal Utilities observe that their previously approved IRPs date from 1998 and 1999, and contend that those IRPs would bear little relevance to reviewing current proposed projects and contracts. The Municipal Utilities request that the Public Service Board ("Board") withdraw its approval of those previous IRPs. The Municipal Utilities further propose that, upon that withdrawal of approval, they would withdraw the IRPs that they filed in 2003 and 2004 (which were never approved by the Board).

The Municipal Utilities note that, upon the withdrawal of approval for their previous IRPs, they would each be left without an approved IRP. As such, review of the Municipal

1. The Municipal Utilities are: Barton Village Inc. Electric Department; Village of Enosburg Falls Water & Light Department; Town of Hardwick Electric Department; Village of Hyde Park Electric Department; Village of Jacksonville Electric Company; Village of Johnson Water & Light Department; Village of Ludlow Electric Light Department; Village of Morrisville Water & Light Department; Village of Northfield Electric Department; Village of Orleans Electric Department; Town of Readsboro Electric Light Department; Town of Stowe Electric Department; and Swanton Village, Inc. Electric Department.

Utilities' proposed projects and contracts under 30 V.S.A. § 248 would be governed by Board Rule 5.404(B)² until such time as the Board subsequently approves an IRP for the utility.

By memorandum dated February 1, 2011, the Board established a deadline of February 11, 2011, for responses to the Municipal Utilities' January 27 letter. No responses were filed.

We grant the Municipal Utilities' request. Judging contemporary projects and contracts by reference to outdated IRPs makes little sense, and it is far more reasonable to apply the "default" standard of Board Rule 5.404(B) – i.e., compliance with the principles of integrated resource planning – until the Municipal Utilities have received approval of more up-to-date IRPs. Accordingly, as of the date of this Order, the Board withdraws its approval of the Municipal Utilities' prior IRPs. Therefore, those prior IRPs are no longer in effect, and each of the Municipal Utilities is currently without an approved IRP.

These dockets are remanded to their respective Hearing Officers, whom we instruct to proceed as expeditiously as possible with the review of the Municipal Utilities' current proposed IRPs.

So ORDERED.

2. Rule 5.404(B) states:

Section 248(b)(6) Integrated Resource Plans. Any petition from an investor-owned utility, municipal electric department, or cooperative electric utility which does not have an approved integrated resource plan pursuant to 30 V.S.A. § 218c must provide evidence that its proposed project complies with principles of integrated resource planning, as defined in 30 V.S.A. § 218c, including consideration of environmental effects.

Dated at Montpelier, Vermont, this 18th day of February, 2010.

<u>s/ James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/ David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/ John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: February 18, 2011

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)